

The Honorable John C. Coughenour

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON AT SEATTLE

KAREN D. SMITH,
Plaintiff,

v.

THE BANK OF NEW YORK MELLON FKA
THE BANK OF NEW YORK, AS TRUSTEE
FOR THE BENEFIT OF THE
CERTIFICATEHOLDERS OF THE CWABS
INC., ASSET-BACKED CERTIFICATES,
SERIES 2007-SD1, and NEWREZ LLC FKA
NEW PENN FINANCIAL LLC DBA
SHELLPOINT MORTGAGE SERVICING,
MTC FINANCIAL INC., DBA TRUSTEE
CORPs, and MALCOLM & CISNEROS, A
LAW CORPORATION,

Defendants.

Case No.: 2:19-cv-00538-JCC

STIPULATED MOTION AND
[PROPOSED ORDER] TO EXTEND
TRIAL AND REMAINING CASE
DEADLINES

NOTED FOR HEARING:

AUGUST 24, 2020

After the Parties' met and conferred on August 6, 2020 to discuss extending the trial and the remaining case schedule deadlines as well as dates for mediation, pursuant to Local Civil Rules 7(d)(1) and 10(g), and for the following reasons, Karen D. Smith ("Plaintiff") and Defendants The Bank of New York Mellon fka The Bank of New York, as Trustee for the Benefit of the Certificateholders of the CWABS Inc., Asset-Backed Certificates Series 2007-

SDI (“BONY”), NewRez, LLC fka New Penn Financial, LLC dba Shellpoint Mortgage Servicing, (“NewRez”), MTC Financial, Inc. dba Trustee Corps, (“MTC”), and Malcolm & Cisneros, a Law Corporation (“M&C”), hereby stipulate and agree to continue the remaining deadlines in the case schedule and for a continuance of the Trial as currently set by the Court’s Order Regarding Initial Disclosures, Joint Status Report and Early Settlement (Dkt. No. 70).

This is the second extension of the case schedule requested by the parties. This extension of deadlines is requested to allow the parties to engage in mediation prior to conducting other necessary discovery should mediation not result in a settlement between the parties. At this time, the parties intend to complete mediation by October 31, 2020 and thus they request a three month extension of the current deadlines and trial date as follows:

The parties have entered into this stipulation and agreement to mutually cooperate in the management of this action. Accordingly, the parties hereby stipulate and agree to extend the deadlines set forth in the Order dated April 29, 2020 (Dkt. No. 70) as follows:

| Case Event | Deadline |
|--|---|
| Trial | A date to be determined by the court in August 2021 |
| Trial Briefs | 6/21/2021 |
| Proposed Voir Dire/Jury Instructions | 6/21/2021 |
| Proposed Pretrial Order LCR 16(e) | 6/14/2021 |
| Plaintiff’s Pretrial Statement LCR 16(h) | 4/13/2021 |
| Defendant’s Pretrial Statement LCR 16(i) | 4/20/2021 |
| LCR 39.1 ADR Deadline | 1/29/2021 |
| Dispositive Motion Deadline (90 days before trial) | 4/12/2021 |
| Discovery Cutoff (120 days before trial) | 2/26/2021 |
| Disclosure of Expert Testimony Under FRCP 26(a)(2) due | 1/4/2021 |

1 Dated this 24st day of August 2020.

2 IT IS SO STIPULATED.

3
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and NewRez LLC fka New Penn Financial, LLC
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Asset-Backed Certificates, Series 2007- SD1
and NewRez LLC fka New Penn Financial, LLC
dba Shellpoint Mortgage Servicing

ORDER

IT IS SO ORDERED. Accordingly;

The Trial and case schedule are rescheduled as follows:

| Case Event | Deadline |
|--|---|
| Trial | A date to be determined by the court in August 2021 |
| Trial Briefs | 6/21/2021 |
| Proposed Voir Dire/Jury Instructions | 6/21/2021 |
| Proposed Pretrial Order LCR 16(e) | 6/14/2021 |
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| | |
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| LCR 39.1 ADR Deadline | 1/29/2021 |
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The extension of the above initial discovery deadlines does not alter or modify any other rights or responsibilities of the Parties except as stated herein permitted by law or under the Federal Rules of Civil Procedure, or the Local Civil Rules.

Dated this ____ day of August 2020.

The Honorable John C. Coughenour

/s/ Arthur E. Ortiz

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